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Attorneys for Plaintiff
The Ohio Casualty Insurance Company

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

THE OHIO CASUALTY INSURANCE
COMPANY, a Ohio corporation,

Plaintiff,

v.

BCI BUILDERS, INC., a California
corporation; DENE BUSTICHI, an
individual; and MELODIE M. BUSTICHI,
an individual,

Defendants.

Case No.: C 12-6443 RMW

**STIPULATION FOR DISMISSAL,
WITHOUT PREJUDICE, OF ENTIRE
ACTION**

Date: March 21, 2014
Time: 10:30 p.m.
Courtroom: 6, 4th Floor
Judge: Hon. Ronald M. Whyte

Plaintiff THE OHIO CASUALTY INSURANCE COMPANY (“Ohio Casualty”) on
the one hand, and Defendants BCI BUILDERS, INC., DENE BUSTICHI and MELODIE
M. BUSTICHI (collectively “Defendants”) on the other hand, by and through their
respective attorneys of record in the above-captioned lawsuit, hereby agree and stipulate as
follows:

- 1) The entire action be dismissed, without prejudice; and
- 2) The dismissal, without prejudice, of the entire action shall not be, or at any
later time deemed to be, collateral estoppel, res judicata, or retraxit on any

1 issue, claim, demand, damage, right of action or cause of action of any kind
2 whatsoever Ohio Casualty or Defendants had, has or may have against the
3 other, including but not limited to any issue, claim, demand, damage, right of
4 action or cause of action of any kind whatsoever that was raised or could
5 have been raised in this action.

6 **IT IS SO AGREED AND STIPULATED.**

7 Dated: March 17, 2014

Wolkin • Curran, LLP

8 By: /s/James D. Curran

James D. Curran

Attorneys for Plaintiff

THE OHIO CASUALTY INSURANCE COMPANY

11 Dated: March 17, 2014

Law Offices of Michael G. Ackerman

12 (as authorized on March 17, 2014)

13 By: /s/Michael G. Ackerman

Michael G. Ackerman, Esq.

Attorneys for Defendants

BCI BUILDERS, INC., DENE BUSTICHI and

MELODIE M. BUSTICHI

19 **¶ ORDER**

21 **PURSUANT TO THE ABOVE STIPULATION, THE FOLLOWING IS**
22 **HEREBY ORDERED:**

- 23 1) The entire action be dismissed, without prejudice; and
24 2) The dismissal, without prejudice, of the entire action shall not be, or at any
25 later time deemed to be, collateral estoppel, res judicata, or retraxit on any
26 issue, claim, demand, damage, right of action or cause of action of any kind
27 whatsoever Ohio Casualty or Defendants had, has or may have against the
28 other, including but not limited to any issue, claim, demand, damage, right of

1 action or cause of action of any kind whatsoever that was raised or could
2 have been raised in this action.

3 **IT IS SO ORDERED.**

4 Dated: March 6th, 2014


United States District Court
Northern District of California